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Attorney for Debtor HOWELL

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA

In re

ANDRE WISHON HOWELL,

Debtor.

Chapter 13  
Case No. 23-12841A-13F  
DC No. PBB-1

HEARING  
Date: January 11, 2023  
Time: 9:30 a.m.  
Dept: A  
Ctrm: 11  
United States Bankruptcy Court  
2500 Tulare Street  
Fresno, California 93721

HONROABLE JENNIFER E. NIEMANN

**DEBTOR'S MOTION FOR ORDER EXTENDING  
THE BANKRUPTCY STAY**

1 HONORABLE JENNIFER E. NIEMANN:

2 The Debtor, Andre Wishon Howell, (hereinafter referred to as "Debtor"), hereby  
3 moves the court for an Order extending the thirty (30) day bankruptcy stay. This motion is before  
4 this court pursuant to 362(c)(3)(B) and (C). Debtor's motion for bankruptcy stay is based on the  
5 facets set forth in the Declaration of Andre Wishon Howell and contents herein.  
6

7 1. Debtor has one pending/failed bankruptcy within the past year.

8 2. Debtor's previous case was filed on October 31, 2023 as a case  
9 under Chapter 13 and assigned case number 23-12361. Debtor's case was voluntarily dismissed  
10 due to a lack of feasibility.  
11

12 3. On December 20, 2023 Debtor filed the above-captioned case to prevent the  
13 foreclosure of his residence scheduled for December 26, 2023.

14 4. Debtor has filed all necessary schedules and his Chapter 13 Plan.

15 5. Debtor has paid all fees due at the time her case was filed.

16 6. Filed concurrently herewith as Exhibit "A" is a copy of Debtor's filed  
17 Schedule I with Business Income and Expense worksheet and Schedule J which reflect Debtor's  
18 income and expenses.  
19

20 7. Line 23c of Schedule J reflects that Debtor has \$5,502.67 disposable,  
21 enough to make his plan payment of \$5,500.00.  
22


23 8. Filed concurrently herewith as Exhibit "B" is a copy of Debtor's proposed  
24 Chapter 13 Plan which sets forth the terms of their Plan. Debtor's plan provides for payment of  
25 Debtor's 1<sup>st</sup> Deed of Trust in Class 1 of the Plan, secured tax liens, priority taxes, three percent to  
26 unsecured creditors, and attorney fees.  
27

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1                   9. No motions for relief from automatic stay were filed in Debtor's prior case.

2                   WHEREFORE, debtors pray for an Order Granting Motion for Extension of  
3 Bankruptcy Stay.  
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7 Dated: **DEC 21 2023**

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11 PETER B. BUNTING  
12 Debtor(s) Attorney  
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